

**UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW JERSEY**

**UNITED STATES OF AMERICA**

**v.**

**MELVIN FELIZ,**

**Defendant.**

Crim. No. 14-327 (KM)

**MEMORANDUM & ORDER**

The defendant, Melvin Feliz, pled guilty, unsuccessfully moved to withdraw his plea, was sentenced, and has filed an appeal to the U.S. Court of Appeals for the Third Circuit. Throughout, he was represented by retained counsel, Patrick J. Joyce, Esq. Mr. Feliz has nevertheless, with some frequency, filed motions *pro se*. *See, e.g.*, DE 216. Since filing his appeal, he has continued to file motions *pro se* in this Court, although Mr. Joyce has recently filed a motion on his behalf as well (DE 224). Because his client now lacks funds, Mr. Joyce was appointed by the U.S. Court of Appeals for the Third Circuit to represent Mr. Feliz on appeal. I will do the same. Because Mr. Joyce has never been relieved as counsel, and because it makes little sense to have new counsel master this voluminous file for the limited purpose of post-trial motions, I will appoint Mr. Joyce under the Criminal Justice Act.

As I have advised Mr. Feliz, the Court does not recognize hybrid represented/*pro se* status. And indeed, Mr. Feliz himself, in one of those motions, moved in the alternative for appointment of counsel, believing, perhaps incorrectly, that he was no longer represented. (DE 209)

IT IS THEREFORE this 1st day of November, 2021,

ORDERED that Mr. Joyce is appointed under the CJA for the purpose of post-judgment proceedings under this Criminal Docket number; and it is further

ORDERED that Mr. Feliz's motion for reconsideration of judgment, or alternatively to assign counsel for the purpose of filing such a motion (DE 209), is GRANTED IN PART insofar as counsel has been appointed, but otherwise DENIED; and it is further

ORDERED that Mr. Feliz's counseled motion to unseal (DE 224) is GRANTED IN PART, with the form of order to be settled by counsel within 14 days, with the government being ordered by the Court to obtain the relevant sentencing transcript on an expedited basis; and it is further

ORDERED that all other post-judgment motions and letter applications are ADMINISTRATIVELY TERMINATED, with counsel to review the record and determine in his professional judgment which applications, if any, may appropriately be brought.

/s/ Kevin McNulty

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**Kevin McNulty**  
**United States District Judge**